

1 Robert L. Hyde, Esq. (SBN: 227183)
 2 bob@westcoastlitigation.com
 3 Joshua B. Swigart, Esq. (SBN: 225557)
 4 josh@westcoastlitigation.com
Hyde & Swigart
 5 411 Camino Del Rio South, Ste. 301
 6 San Diego, CA 92108
 7 Telephone: (619) 233-7770
 Facsimile: (619) 297-1022

8 Attorneys for Plaintiff
 9 Dusty Barton

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **DUSTY L. BARTON,**

13 **PLAINTIFF,**

14 **v.**

15 **BANK OF AMERICA, AND**
 16 **NCO FINANCIAL SYSTEMS**
 17 **INC.,**

18 **DEFENDANT.**

CASE NO.: 07-CV-01484 PJH

STIPULATION TO CONTINUE
CASES MANAGEMENT
CONFERENCE

19
 20 WHEREAS Plaintiff and Defendant NCO are the only two remaining parties
 21 in this action, with all other parties being dismissed; and,

22 WHEREAS Plaintiff and Defendant NCO have been diligently attempting to
 23 settle this matter; and,

24 WHEREAS Plaintiff and Defendant NCO feel confident that this matter is
 25 on the verge of settlement; and,

26 WHEREAS Plaintiff and Defendant NCO need some additional time to
 27 discuss the remaining terms of such settlement and intend to continue their diligent
 28 attempts at settlement; and,

1 WHEREAS Plaintiff and Defendant NCO are located in remote locations
2 with defense counsel located in Louisiana and plaintiff's counsel in San Diego, CA;
3 and,

4 WHEREAS a Case Management Conference is currently on calendar for
5 July 26, 2007 at 1:30 PM in San Francisco, CA; and,

6 WHEREAS a both parties agree that the expense to be incurred by counsel
7 attending that Case Management Conference may have a significant and negative
8 impact on the possibility of this case being settled.

9 THEREFORE Plaintiff and Defendant NCO do agree and stipulate to a
10 continuance by the Court of this Case Management Conference to August 23,
11 2007, or a date the Court finds appropriate.

12
13 Dated: 7/25/2007

Signed: /s/ David Israel
Sessions Fishman & Nathan LLP
Attorneys for the Defendant

15 Dated: 7/25/2007

Signed: /s/ Robert L. Hyde
Hyde & Swigart
Attorneys for the Plaintiff

18
19
20 7/26/07

